

DEPARTMENT OF THE ARMYHEADQUARTERS, IST BRIGADE, 3RD INFANTRY DIVISION (FORWARD) TASK FORCE BAND OF BROTHERS, OPERATION IRAQI FREEDOM FORWARD OPERATING BASE SPEICHER APO AE 09393

AFZP-VA-JA

14 November 2005

MEMORANDUM FOR RECORD

SUBJECT: Commander's Emergency Response Program payment to (Claim Number 05-IA3-1460)

1. On 2 June 2005,

's son was shot and killed by U.S. Forces responding to attack.

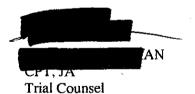
2. I certify that funds are available from the CERP to pay A

in the amount of \$2,500.00.

This is a condolence payment.

Project Purchasing Officer

I in the amount of \$2,500.00 from CERP is approved. 3. The request to pay. The claimant will receive a payment. There is no legal objection to this payment. I order payment of this money.





DEPARTMENT OF THE ARMY

HEADQUARTERS, 42d INFANTRY DIVISION (Mechanized)
OPERATION IRAQI FREEDOM (FOB LIBERTY)
APO AE 09308

DHFT-JA

17 July 2005

MEMORANDUM OF OPINION

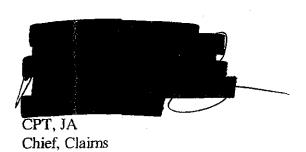
SUBJECT: Claim of

05-IA3-1460

1. Identifying Data:

Bayji, Iraq

- 2. Date and place the incident occurred giving rise to the claim: The claim occurred on 2 June 2005, in Bayji, Iraq.
- 3. Amount of claim and date it was filed: Claimant filed a claim for \$3,000 on 16 July 2005.
- 4. **Jurisdiction:** This request is presented for consideration under the provisions of the Foreign Claims Act, 10 USC Section 2734, as implemented by Chapter 10, Army Regulation 27-20. This claim was filed in a timely manner.
- 5. Facts: Claimant alleges that his son was killed, when U.S. Forces shot at him from a convoy. The claimant and son were driving through Bayji, when a U.S. Forces convoy approached from the other direction. The soldiers in the convoy started shooting at the claimant's vehicle as they got closer. The claimant's son was shot and killed. The claimant provided corroborating witness statements and a police report with a scene sketch. Division records indicate that TF 1-103 fired warning shots at the vehicle as they passed by. They initiated first aid, but the decedent died at FOB Summerall.
- 6. **Opinion:** There is sufficient evidence to indicate that U.S. Forces killed the claimant's son. Unfortunately, those forces were involved in security operations at the time. Therefore, this case falls within the combat exception.
- 7. Recommendation: The claim is denied.



Claims Form
To: United States Army Foreign Claims Commission. From: Name: POA/ATT: Power of Attorney provided and interpreter approved: 1071 Fcd by Mued Decedents: 20 y 54
Hometown: Baysi
My claim arose at: (Town) (City) (Country) (A) (City) (Country) (A) (Country)
Death Certificates (Name, Cause of Death, Age, and Time of Death Consistent with Claimant allegations): Sus of Clarate Date - 2 July 65 - Builet to head
Witness Statement (Consistent?): 2 5 /2 /2 /2 /2 /2 /2 /2 /2 /2 /2 /2 /2 /2
Give a brief statement of the accident or incident on which the claim for damages to property or for personal injury is based. (Use back of this sheet if necessary.)
CAMONG UNS STIVING IN BOYSI- SOM CONVOY COM, US FROM CHUS IS, rection - Dulked over to Side JOA FOOD - VITA OTHER VEHICLES - CONVOY STUSTED Showling at CIVILIAN VIMILES KILLING SON NOT a highway regular street.
- NOT Claiming danages to vehicle just wrongful deaths
Evidence:

List in detail the ar	nount of property damage and itemized expenses resulting from the property
•	d injury: (Attach bills and receipts, if applicable.)
Item	Jagth P3000
MINISTER OF	10.000
	Total: 183000
	Total. 70 5 000
I was insured to th	e following extent against the damage or injuries I have sustained:
The name and add	ress of my insurer (if any) is:
(Name)	(Address)
1 claim as damages	: (Indicate amount in U.S. dollars and local currency)
\$ _300P	- 10car
	(Signature of Claimant)
	11.
Subscribed before	me this $\sqrt{\frac{1}{6}}$ day of $\sqrt{\frac{1}{200}}$, $\sqrt{\frac{200}{5}}$.
	SGT
	(Print Name)
•	
•	(Signature)



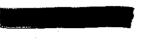
DEPARTMENT OF THE ARMYHEADQUARTERS, IST BRIGADE, 3RD INFANTRY DIVISION (FORWARD) TASK FORCE BAND OF BROTHERS, OPERATION IRAQI FREEDOM FORWARD OPERATING BASE SPEICHER APO AE 09393

AFZP-VA-JA

14 November 2005

MEMORANDUM FOR RECORD

SUBJECT: Commander's Emergency Response Program payment to (Claim Number 05-IA3-1541)



1. On 6 March 2005 attack.

's son was shot and killed by U.S. Forces responding to

2. I certify that funds are available from the CERP to pay \$2,500.00. This is a condolence payment.

I in the amount of

Project Purchasing Officer

3. The request to pay in the amount of \$2,500.00 from CERP is approved. The claimant will receive a payment. There is no legal objection to this payment. I order payment of this money.

